



HISTORIC LANDMARKS COMMISSION HEARING AGENDA

WEDNESDAY MARCH 5, 2008

Study Session

CEQA: How to Review an EIR

5:00 p.m. – T-332

Regular Session

6:00 P.M.

Council Wing, Rooms W-118 & 119

200 East Santa Clara Street

San José, CA

COMMISSION MEMBERS

EDWARD JANKE, AIA, CHAIR

PATRICIA COLOMBE, VICE CHAIR

HELENE LAVELLE SCOTT CUNNINGHAM

DANA PEAK JUDY STABILE

ERIC THACKER

JOSEPH HORWEDEL, DIRECTOR

DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 277-4576 (VOICE) or (408) 998-5299 (TTY) at least two business days before the meeting. If you have questions or concerns, please contact Sue Diehl at (408) 535-7855.

NOTICE TO THE PUBLIC

Good evening, my name is **Ed Janke**, and I am the Chair of the Historic Landmarks Commission. On behalf of the Commission, I would like to welcome you to tonight's meeting. I will now call to order the **March 5, 2008** meeting of the Historic Landmarks Commission. Please remember to turn off your cell phones and pagers.

If you want to address the Commission, **fill out a speaker card (located at the technician's station), and give the completed card to the technician. Please include the agenda item number for reference.**

The procedure for public hearings is as follows:

- After the staff report, *applicants may make a five-minute presentation.*
- Anyone wishing to speak in favor of the proposal should prepare to come forward. After the proponents speak, anyone wishing to speak in opposition should prepare to come forward. *Each speaker will have two minutes.*
- Commissioners may ask questions of the speakers. These questions will not reduce the speaker's time allowance.
- The Commission will then close the public hearing. The Historic Landmarks Commission will take action on the item.

The procedure for referrals is as follows:

- Anyone wishing to speak on a referral should prepare to come forward. *Each speaker will have one minute.*
- Commissioners may ask questions of the speakers. These questions will not reduce the speaker's time allowance.
- The Historic Landmarks Commission will comment on the referral item.

If a Commissioner would like a topic to be addressed under one of the Good and Welfare items, please contact Planning staff in advance of the Commission meeting.

An agenda and a copy of all staff reports have been placed on the table for your convenience.

AGENDA
ORDER OF BUSINESS
6:00 PM SESSION

1. ROLL CALL

2. DEFERRALS

Any item scheduled for hearing this evening for which deferral is being requested will be taken out of order to be heard first on the matter of deferral. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time.

The matter of deferrals is now closed

3. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by a member of the Historic Landmarks Commission, staff or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please make your request at this time.

The Consent Calendar is now closed.

4. PUBLIC HEARINGS

- a. [Addition to the San José Historic Resources Inventory](#) of the single family residence identified as eligible for the Inventory as a Structure of Merit in the review of a Special Use Permit application (File No. SP08-006) for the demolition of one single-family detached residence to allow subdivision into six (6) lots, located on the southwest corner of Willow Glen Way and Creek Drive (660 Willow Glen Way) on a 0.878 gross acre site. (Masoumi Bros. LLC, Applicant). Council District: 6. SNI: None. CEQA: In Process. *Project Manager, A. Baty*

Staff Recommendation: Historic Landmarks Commission adopt a Resolution listing the Qualifying Property on the City of San José Historic Resources Inventory as a Structure of Merit as recommended by staff.

5. REFERRALS FROM CITY COUNCIL, BOARDS, COMMISSIONS OR OTHER AGENCIES

- a. [First Amendment to the Park View Towers DEIR \(Response to Comments\)](#) located on the north side of East St. James Street between North First and North Second Streets, (H05-029, HP05-002, HP05-003). The project includes the demolition of Contributing Structure Letcher's Garage, rehabilitation of Contributing Structure First Church of Christ Scientist, and construction of a mid-rise residential project within the St. James Square Historic District. (San Jose Redevelopment Agency, Owner; Barry Swenson Builder, Developer). Council District: 3. SNI: None. *Project Manager, L. Butler*

Staff Recommendation: Historic Landmarks (HL) Commission to review the First Amendment to the EIR and provide comment to HL Commissioner appointed to speak at the DEIR certification Planning Commission hearing on behalf of the HL Commission.

CONTINUED FROM 12-5-07

- b. [Japantown Corporation Yard Mixed Use Residential Project \(PDC07-073\) Draft Environmental Impact Report \(DEIR\)](#) located at 696 North 6th Street and 675 North 6th Street. The proposed project would include up to 600 market-rate residential units, up to 30,000 square feet of retail space, a 10,000 to 20,000 square foot community amenity space, and up to 900 underground/surface parking spaces on the Corporation Yard site. As a variation on the proposed project, up to 15,000 square feet of retail space may be replaced with up to 24 live/work units. (Williams & Dame Development and First Community Housing, Developer). Council District: 3. SNI: None. *Project Manager, D. Chundur*

Staff Recommendation: Historic Landmarks Commission to provide comment and consider authorization of the HLC Chair to sign a DEIR comment letter on behalf of the commission, to the Director of Planning, Building and Code Enforcement.

CONTINUED FROM 2-6-08

- c. [Draft Evergreen-East Hills Development Policy](#) for the area generally located southerly of Story Road and Easterly of State Route 101, including the 14 gross acre Mirassou Winery site located on Aborn Road. Council District: 5, 7 and 8. SNI: K.O.N.A., East Valley/689 and Evergreen. CEQA: ADSEIR In Process. *Project Manager, R. Matthew*

Staff Recommendation: Historic Landmarks Commission to forward comments to the Director of Planning on key preservation issues to be included in the draft Evergreen-East Hills Development Policy.

TO BE TAKEN OUT OF ORDER FOLLOWING CONSENT CALENDAR

- d. ["Cultural Citizenship Tree"](#) temporary public art project. The proposed outdoor exhibit would be installed in the southwest corner of St. James Park for a period of one year.

Staff Recommendation: Historic Landmarks Commission to review and forward comments to the Director of Public Art

**TO BE TAKEN OUT OF ORDER
FOLLOWING ITEM 5.c. AND CONSENT CALENDAR**

- e. [H07-030](#). Site Development Permit for a mini-storage facility located on the northwesterly corner of Curtner Avenue and Stone Avenue. The project includes the demolition of a tank house identified as a Structure of Merit and the construction of a 133,250 square foot mini-storage facility, including a caretaker's residence, on a 4.42 gross acre site. (Applicant: Extra Space Storage). Council District: 7. SNI: None. CEQA: In Process. *Project Manager, C. Burton*

Staff Recommendation: Historic Landmarks Commission to make a recommendation to the Planning Director regarding the disposition of the identified historic resource.

- f. [Finding of No Adverse Effect](#) as required by the National Historic Preservation Act (NHPA), for King and Dobbin Transit Village Planned Development Rezoning PDC07-015 which allows up to 1,287 residential units, between 10,000 to 25,000 square feet of commercial space, and an approximately one-acre park, located on the northeasterly side of North King Road, approximately 640 feet southerly of Mabury Road. (Various, Owner/San Jose Transit Village Partners, LLC) Council District: 3. CEQA: EIR. NEPA: EIS. *Project Manager, D. Chundur*

Staff Recommendation: Historic Landmarks Commission to provide comment on a Finding of No Adverse Effect to be forwarded to the State Historic Preservation Officer and consider addition of the National Register eligible house located at 12320 Mabury Road to the Inventory in a future public hearing.

6. PETITIONS AND COMMUNICATIONS

- a. Public comments to the Historic Landmarks Commission on non-agendized items. Each member of the public may address the Commission for up to two minutes. The Commission cannot take any formal action without the item being properly noticed and placed on an agenda. In response to public comment, the Historic Landmarks Commission is limited to the following options:
1. Responding to statements made or questions posed by members of the public; or
 2. Requesting staff to report back on a matter at a subsequent meeting; or
 3. Directing staff to place the item on a future agenda

7. GOOD AND WELFARE

- a. Report from Secretary, Planning Commission, and City Council
- b. Commissioners' report from Committees:
1. Design Review Subcommittee (Janke, Colombe and Cunningham; Lavelle alternate)
February 20, 2008 Meeting Cancelled
 2. History San Jose Collections Committee (Stabile)
 3. Coyote Valley Specific Plan and Habitat Conservation Plan Advisory Committee
(Cunningham)
 4. Japantown Survey Committee (Lavelle)
 5. Pellier Park Committee (Colombe)
 6. City of San Jose BART extension, Design, Art & Architecture Review (Janke)

7. GP Update Task Force Progress Report (Colombe and Thacker)

c. [Review of 02/06/08 HLC Synopsis](#)

d. Status of Circulation of Environmental Review Documents

<http://www.sanjoseca.gov/planning/eir/>

- Demolition of the San José Medical Center ADEIR
July 2007 NOP Distribution
- Morrisson Park PD Rezoning (PDC06-094) DMND
- Japantown Corporation Yard
Anticipated 21 April 2008 DEIR Hearing
- Coleman/Autumn Improvement Project EIR
30 January 2008 PC Hearing
Anticipated 5 March 2008 HRI Additions
- Park View Towers (H05-029, HP05-002, HP05-003) DEIR

e. Study Session Dates and Topics

1. February 6th – Planning Department Website Re-design
2. March 5th – CEQA: How to Review an EIR

f. California Preservation Foundation Conference – Napa, CA
Wednesday, April 23, 2008 – Saturday, April 26, 2008

g. Historic Preservation Month May 2008

h. [City Council/Commission Code of Conduct and Provisions Regarding Absences](#)

8. **ADJOURNMENT**

2007 HISTORIC LANDMARKS COMMISSION MEETING SCHEDULE

| DATE | TIME | TYPE OF MEETING | LOCATION |
|--------------------|------------|----------------------------|---------------|
| January 9, 2008 | 12:00 p.m. | Design Review Subcommittee | Room T-550 |
| February 6, 2008 | 6:00 p.m. | Regular Meeting | Room W118-119 |
| February 20, 2008 | 12:00 p.m. | Design Review Subcommittee | Cancelled |
| March 5, 2008 | 6:00 p.m. | Regular Meeting | Room W118-119 |
| March 19, 2008 | 12:00 p.m. | Design Review Subcommittee | Room T-550 |
| April 2, 2008 | 6:00 p.m. | Regular Meeting | Room W118-119 |
| April 16, 2008 | 12:00 p.m. | Design Review Subcommittee | Room T-550 |
| May 7, 2008 | 6:00 p.m. | Regular Meeting | Room W118-119 |
| May 21, 2008 | 12:00 p.m. | Design Review Subcommittee | Room T-550 |
| June 4, 2008 | 6:00 p.m. | Regular Meeting | Room W118-119 |
| June 18, 2008 | 12:00 p.m. | Design Review Subcommittee | Room T-550 |
| August 6, 2008 | 6:00 p.m. | Regular Meeting | Room W118-119 |
| August 20, 2008 | 12:00 p.m. | Design Review Subcommittee | Room T-550 |
| September 3, 2008 | 6:00 p.m. | Regular Meeting | Room W118-119 |
| September 17, 2008 | 12:00 p.m. | Design Review Subcommittee | Room T-550 |
| October 1, 2008 | 6:00 p.m. | Regular Meeting | Room W118-119 |
| October 15, 2008 | 12:00 p.m. | Design Review Subcommittee | Room T-550 |
| November 5, 2008 | 6:00 p.m. | Regular Meeting | Room W118-119 |
| November 19, 2008 | 12:00 p.m. | Design Review Subcommittee | Room T-550 |
| December 3, 2008 | 6:00 p.m. | Regular Meeting | Room W118-119 |
| December 17, 2008 | 12:00 p.m. | Design Review Subcommittee | Room T-550 |

HISTORIC LANDMARKS AGENDA ON THE WEB:
<http://www.sanjoseca.gov/planning/hearings/historic.asp>

CITY OF SAN JOSÉ CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS

The Code of Conduct is intended to promote open meetings that welcome debate of public policy issues being discussed by the City Council, Redevelopment Agency Board, their Committees, and City Boards and Commissions in an atmosphere of fairness, courtesy, and respect for differing points of view.

1. Public Meeting Decorum:

- a) Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting.
- b) Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
- c) Persons in the audience will refrain from using cellular phones and/or pagers while the meeting is in session.
- d) Appropriate attire, including shoes and shirts are required in the Council Chambers and Committee Rooms at all times.
- e) Persons in the audience will not place their feet on the seats in front of them.
- f) No food, drink (other than bottled water with a cap), or chewing gum will be allowed in the Council Chambers and Committee Rooms, except as otherwise pre-approved by City staff.
- g) All persons entering the Council Chambers and Committee Rooms, including their bags, purses, briefcases and similar belongings, may be subject to search for weapons and other dangerous materials.

2. Signs, Objects or Symbolic Material:

- a) Objects and symbolic materials, such as signs or banners, will be allowed in the Council Chambers and Committee Rooms, with the following restrictions:
 - No objects will be larger than 2 feet by 3 feet.
 - No sticks, posts, poles or other such items will be attached to the signs or other symbolic materials.
 - The items cannot create a building maintenance problem or a fire or safety hazard.
- b) Persons with objects and symbolic materials such as signs must remain seated when displaying them and must not raise the items above shoulder level, obstruct the view or passage of other attendees, or otherwise disturb the business of the meeting.
- c) Objects that are deemed a threat to persons at the meeting or the facility infrastructure are not allowed. City staff is authorized to remove items and/or individuals from the Council Chambers and Committee Rooms if a threat exists or is perceived to exist. Prohibited items include, but are not limited to: firearms (including replicas and antiques), toy guns, explosive material, and ammunition; knives and other edged weapons; illegal drugs and drug paraphernalia; laser pointers, scissors, razors, scalpels, box cutting knives, and other cutting tools; letter openers, corkscrews, can openers with points, knitting needles, and hooks; hairspray, pepper spray, and aerosol containers; tools; glass containers; and large backpacks and suitcases that contain items unrelated to the meeting.

CITY OF SAN JOSÉ CODE OF CONDUCT FOR PUBLIC MEETINGS IN THE COUNCIL CHAMBERS AND COMMITTEE ROOMS (CONT'D)

3. Addressing the Council, Redevelopment Agency Board, Committee, Board or Commission:

- a) Persons wishing to speak on an agenda item or during open forum are requested to complete a speaker card and submit the card to the City Clerk or other administrative staff at the meeting.
- b) Meeting attendees are usually given two (2) minutes to speak on any agenda item and/or during open forum; the time limit is in the discretion of the Chair of the meeting and may be limited when appropriate. Applicants and appellants in land use matters are usually given more time to speak.
- c) Speakers should discuss topics related to City business on the agenda, unless they are speaking during open forum.
- d) Speakers' comments should be addressed to the full body. Requests to engage the Mayor, Council Members, Board Members, Commissioners or Staff in conversation will not be honored. Abusive language is inappropriate.
- e) Speakers will not bring to the podium any items other than a prepared written statement, writing materials, or objects that have been inspected by security staff.
- f) If an individual wishes to submit written information, he or she may give it to the City Clerk or other administrative staff at the meeting.
- g) Speakers and any other members of the public will not approach the dais at any time without prior consent from the Chair of the meeting.

Failure to comply with this Code of Conduct which will disturb, disrupt or impede the orderly conduct of the meeting may result in removal from the meeting and/or possible arrest.